

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JOSEPH BIRCH, :  
: Plaintiff, :  
: :  
v. : Civil Action No. 05-799-JJF  
: :  
E.I. DUPONT DE NEMOURS :  
& CO., INC., :  
: :  
Defendant. :  
:

O R D E R

WHEREAS, Plaintiff has requested additional time to complete discovery;

WHEREAS, Defendant opposes any extension and has filed a motion to dismiss due to Plaintiff's alleged failure to respond to Defendant's discovery;

WHEREAS, the Third Circuit requires district courts to be more lenient when dealing with pro se parties absent intentional dilatory conduct;

WHEREAS, the Court finds one limited extension of the discovery deadline is not unreasonable in this case;

NOW THEREFORE, IT IS HEREBY ORDERED that:

1) The discovery cut-off date is extended to **November 23, 2007**.

2) The case dispositive motion date is extended to **December 4, 2007**.

3) The Pre-Trial date remains **January 10, 2008**.

4) Defendant's Motion To Dismiss (D.I. 18) is **DENIED** with leave to renew if Plaintiff fails to comply with the provisions of Paragraph 5 below.

5) Plaintiff shall respond to all outstanding discovery, including deposition, no later than October 26, 2007.

September 21, 2007  
DATE

Joseph J. Farnier Jr.  
UNITED STATES DISTRICT JUDGE